

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:10-CV-00106-RLV-DSC**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) **ORDER**
)
)
\$5,990.00 IN UNITED STATES)
CURRENCY, et al.,)
)
Defendants.)
)

THIS MATTER is before the Court on the Government's unopposed Motion for Default Judgment, Entry of Judgment, and Final Order of Forfeiture. (Doc. 13.)

On August 10, 2010, the Government initiated this civil forfeiture action pursuant to 18 U.S.C. §§ 981, 983, 985, and 21 U.S.C. § 881 against the defendant property. (Doc. 1.) As grounds for forfeiture, the Verified Complaint alleges in part that the defendant property "was used or intended to be used, in any manner or part, to commit, or to facilitate" illegal drug trafficking in violation of 21 U.S.C. §§ 801, *et seq.* (Doc. 1 at 4.)

The Government sent adequate personal notice to Michael Gordon Schriber, the person from whom the defendant property was seized, as well as to Melissa Field Pollard, a passenger in the vehicle that was seized, and to the State Employees' Credit Union, the lien holder for the vehicle that was seized. (Doc. 1 at 2–3; Doc. 11 at 1–3.) Additionally, the government published on an official government Internet site, www.forfeiture.gov, for at least thirty consecutive days notice of this forfeiture and of the Government's intent to dispose of the forfeited property in accordance with law. (Doc. 5.)

All possible claimants are now in default, and the Clerk of Court has filed an Entry of Default Against All Persons and Entities. (Doc. 12.) Based on the allegations within the Verified Complaint, the United States has established that Defendants were proceeds traceable to transactions and exchanges for controlled substances or listed chemicals in violation of Chapter 13, Drug Abuse Prevention Control of Title 12 of the United States Code, §§ 801 *et seq.* The following defendant property is thus subject to forfeiture under 21 U.S.C. § 881(a)(6): \$5,990.00 in United States Currency and \$1,611.00 in United States Currency. The 2003 Chevrolet Silverado 1500, VIN 1GCGK13U63F195326, has been dismissed from forfeiture pursuant to a settlement agreement with Claimant Schriber, who has since withdrawn his Claim and Answer. (Doc. 10.) The Court therefore enters judgment by default pursuant to Federal Rule of Civil Procedure 55(b)(2) and judgment and final order of forfeiture pursuant to Federal Rule of Civil Procedure 58 against defendant property.

IT IS, THEREFORE, ORDERED that the Governments Motion for Default Judgment, Entry of Judgment, and Final Order of Forfeiture (Doc. 13) be **GRANTED**. The Court **DIRECTS** the Clerk to **ENTER** a Default Judgment against the defendant currency. Finally, the Court **ORDERS** that the defendant currency be **FORFEITED** to the United States of America.

Signed: May 22, 2012



Richard L. Voorhees
United States District Judge

